

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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MILES LEWIS,

Petitioner,

-v-

9:14-CV-1411  
(DNH/ATB)

T. GRIFFIN, Superintendent

Respondent.  
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APPEARANCES:

OF COUNSEL:

MILES LEWIS  
Petitioner, Pro Se  
09-A-2520  
Eastern NY Correctional Facility  
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Napanoch, NY 12458

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Attorney for Respondent  
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New York, NY 10271

MICHELLE E. MAEROV, ESQ.  
Ass't Attorney General

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Pro se petitioner Miles Lewis brought this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On August 12, 2015, the Honorable Andrew T. Baxter, United States Magistrate Judge, advised, by Report-Recommendation, that the petition be denied. Petitioner timely filed objections to the Report-Recommendation.

Based upon a de novo review of the portions of the Report-Recommendation to which petitioner objected, the Report-Recommendation is adopted in whole. See 28 U.S.C. § 636(b)(1); Rule 10, Rules Governing Section 2254 Cases.


Therefore, it is

ORDERED that

1. The petition for a writ of habeas corpus is **DENIED** and **DISMISSED**; and
2. The Clerk is directed to close the file.

Because petitioner has not made a substantial showing of the denial of any constitutional right, a certificate of appealability will not issue. See 28 U.S.C. § 2253.

IT IS SO ORDERED.

  
United States District Judge

Dated: November 2, 2015  
Utica, New York.